



PATENT APPLICATION  
Docket No: 10209.353

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of )  
 )  
 Morinda, Inc. )  
 )  
 Serial No.: 09/997,588 )  
 )  
 Filed: November 29, 2001 )  
 )  
 For: REDUCING CELLULAR DAMAGE IN THE HUMAN )  
 BODY )  
 )  
 Examiner: Patricia A. Patten )  
 )

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INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.97

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which

the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof is enclosed.

In accordance with 37 C.F.R. § 1.98(c), all English translations within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) of each nonenglish reference, if any, are also enclosed.

Statement of Relevance of References Listed  
Unaccompanied by English Translation  
Under 37 C.F.R. § 1.98(a)(3)

Since all listed references are either in the English language or are accompanied by a translation into English, no concise explanation of relevance is required under 37 C.F.R. § 1.98(a)(3).

Dated this 23 day of September, 2002.

Respectfully submitted,

Michael F. Krieger  
Attorney for Applicant  
Registration No. 35,232

KIRTON & McCONKIE  
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PATENT APPLICATION  
Docket No: 10209.353

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Morinda, Inc.

Serial No.: 09/997,588

Filed: November 29, 2001

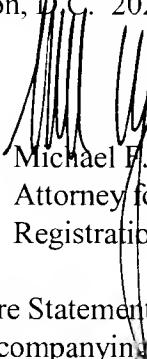
For: REDUCING CELLULAR DAMAGE IN THE HUMAN  
BODY

Examiner: Patricia A. Patten

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CERTIFICATE OF DEPOSIT UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence and the documents listed below are being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on September 23, 2002.

  
Michael E. Krieger  
Attorney for Applicant  
Registration No. 35,232

Transmitted: Transmittal of Information Disclosure Statement  
Statement Under 37 CFR 1.97(c) Accompanying Information Disclosure Statement  
Information Disclosure Statement  
Form PTO-1449 Listing of All References  
Legible Copies of All Listed References  
Postcard

MFK/CLJ:lah  
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TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
10209.353

In Re Application Of: **Morinda, Inc.**

OCT 01 2002  
PATENT & TRADEMARK OFFICE  
U.S. DEPARTMENT OF COMMERCE

Serial No.  
09/997,588

Filing Date  
November 29, 2001

Examiner  
Patricia A. Patten

Group Art Unit  
1651

Title:

**REDUCING CELLULAR DAMAGE IN THE HUMAN BODY**

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**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

A check in the amount of \_\_\_\_\_ is attached.

The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. **500843** as described below. A duplicate copy of this sheet is enclosed.

Charge the amount of \_\_\_\_\_

Credit any overpayment.

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**Certificate of Transmission by Facsimile\***

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No.

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(Date)

*Signature*

*Typed or Printed Name of Person Signing Certificate*

\*This certificate may only be used if paying by deposit account.

**Certificate of Mailing by First Class Mail**

I certify that this document and fee is being deposited on **Sept. 23, 2002** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

*Signature of Person Mailing Correspondence*

**Michael R. Krieger**

*Typed or Printed Name of Person Mailing Correspondence*

Dated: **Sept. 23, 2002**

**Michael F. Krieger**  
Attorney for Applicant  
Attorney Registration No. 35,232  
**KIRTON & McCONKIE**  
1800 Eagle Gate Tower  
60 East South Temple  
Salt Lake City, Utah 84111  
Telephone: (801) 321-4814

CC:

STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT

Docket No.

10209.353

In Re Application Of: **Morinda, Inc.**

OCT 01 2002  
PATENT & TRADEMARK OFFICE

Serial No.

09/997,588

Filing Date

November 29, 2001

Examiner

Patricia A. Patten

Group Art Unit

1651

Invention:

**REDUCING CELLULAR DAMAGE IN THE HUMAN BODY**

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TO THE ASSISTANT COMMISSIONER FOR PATENTS:

TECH CENTER 1600/290

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

Check applicable statement herebelow:

Statement Under 37 CFR 1.97(e)(1)

Each item of information contained in the accompanying information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

Statement Under 37 CFR 1.97(e)(2)

No item of information contained in the accompanying information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement.

Signature

**Michael F. Krieger**  
Attorney for Applicant  
Attorney Registration No. 35,232  
KIRTON & McCONKIE  
1800 Eagle Gate Tower  
60 East South Temple  
Salt Lake City, Utah 84111  
Telephone: (801) 321-4814

Dated: *Sept. 23, 2002*

I certify that this document is being deposited on  
*Sept. 23, 2002* with the U.S. Postal Service as first  
class mail under 37 C.F.R. 1.8 and is addressed to the  
Assistant Commissioner for Patents, Washington, D.C.  
20231.

Signature of Person Mailing Correspondence

**Michael F. Krieger**

Typed or Printed Name of Person Mailing Correspondence

cc:

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
10209.353

In Re Application Of: **Morinda, Inc.**

OCT 01 2002

Serial No.  
09/997,588

Filing Date  
November 26, 2001

Examiner  
Patricia A. Patten

Group Art Unit  
1651

Title:

**REDUCING CELLULAR DAMAGE IN THE HUMAN BODY**

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Address to:

Assistant Commissioner for Patents  
Washington, D.C. 20231

**37 CFR 1.97(b)**

1.  The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application; within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or before the mailing date of a first Office Action on the merits, whichever event occurs last.

**37 CFR 1.97(c)**

2.  The Information Disclosure Statement submitted herewith is being filed after three months of the filing of a national application, or the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or after the mailing date of a first Office Action on the merits, whichever occurred last but before the mailing date of either:

1. a Final Action under 37 CFR 1.113, or
2. a Notice of Allowance under 37 CFR 1.311,

whichever occurs first.

Also submitted herewith is:

a certification as specified in 37 CFR 1.97(e);

**OR**

the fee set forth in 37 CFR 1.17(p) for submission of an Information Disclosure Statement under 37 CFR 1.97(c).

INFORMATION DISCLOSURE  
CITATION

ATTY.DOCKET NO.	SERIAL NO
10209.353	09/997,588
APPLICANTS	
Morinda, Inc.	
FILING DATE	GROUP
November 29, 2001	1651

## U.S. PATENT DOCUMENTS

<u>*EXAMINER INITIAL</u>	<u>DOCUMENT NUMBER</u>	<u>DATE</u>	<u>NAME</u>	<u>CLASS</u>	<u>SUBCLASS</u>	<u>FILING DATE</u>
A1	6,299,925	10/09/01	Xiong et al.	426	597	04/29/99
A2	6,254,913	07/03/01	Wadsworth et al	426	481	08/27/99
A3	6,214,351	04/10/01	Wadsworth et al.	424	195.1	08/27/99
A4	5,288,491	02/22/94	Moniz	424	195.1	09/24/99
A5						
A6						
A7						
A8						

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## FOREIGN PATENT DOCUMENTS

<u>*EXAMINER INITIAL</u>	<u>DOCUMENT NUMBER</u>	<u>DATE</u>	<u>COUNTRY</u>	<u>CLASS</u>	<u>SUBCLASS</u>	<u>TRANSLATION YES</u>	<u>NO</u>

## OTHER DOCUMENTS

(Including Author (if any), Title, Pertinent Pages, Date and Place of Publication)

\*EXAMINER INITIAL

## DOCUMENT CITATION

Dittmar, Alexandra. "Morinda citrifolia L. - Use in Indigenous Samoan Medicine." Pgs. 77-90. 1993. Journal of Herbs, Spices & Medicinal Plants.

Sang, Shengmin, et al. "Flavonol Glycosides and Novel Iridoid Glycoside from the Leaves of Morinda citrifolia." Pgs. 4478-4481. 2001. Journal of Agricultural and Food Chemistry.

Wang, Mingfu. "Chemical Components of sage (Salvia officinalis L.), thyme (Thymus vulgaris L.) and noni (Morinda citrifolia) and their antioxidant and anticancer activities." Pg. 13. 2000. Rutgers State University Diss. Abstra. Int., B.

<u>EXAMINER</u>	<u>DATE CONSIDERED</u>
* EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant(s).	